IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

Insolvency Petition No.15 of 2004

In

Notice of Motion No. of 2004

Nirav Consruction Co.
and Ors. ...Judgment Debtor

V/s

Suman Deepklal
Nichani ..Judgment Creditor

Ms K.S.Lalwani for Judgment Creditor
Ms Swati Deshpande i/b M.S.Bodhanwala and Co.
for Judgment Debtor

CORAM:DR.D.Y.CHANDRACHUD,J.

1st February 2005

P.C.:-

1. Sufficient cause is shown hence the delay is condoned.

2. Counsel appearing on behalf of the Judgment Debtor undertakes to file his Vakalatnama within one week from today.

3. The Insolvency Petition is based on a decree

passed by the City Civil Court, Bombay on 25th October 2002 in the amount of 31,542-50 with further interest on the principal amount of Rs.20,000/- at the rate of 18% p.a. The Insolvency notice was duly served. In this proceeding an adjournment was sought on 2-11-2004 and 17-12-2004, despite which no reply has been filed.

4. Under the circumstances, a conditional order is passed to the effect that the petition shall stand placed for further directions in the event that the entire decretal claim together with interest is paid and satisfied in full within four weeks from today. In the event that there is any default the petition shall stand absolute in terms of prayer clause (a).

. Counsel appearing on behalf of the Judgment Creditor undertakes to inform the Insolvency Registrar.

(DR.D.Y.CHANDRACHUD,J.)